

Cheryl Gursel) United States District Court

Plaintiff) Northern District of Illinois

RECEIVED

JUL 10 2012

v

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Chicago Transit Authority (C.T.A.)) 1:12-cv-05326

Defendant) Judge Harry D. Leinenweber
Magistrate Judge Maria Valdez

CTA Employee #44096)

Defendant

COMPLAINT

Herein, plaintiff is a 68 years old, disabled female and was same on June 27, 2012.

1. On June 27, 2012, employee #44096 was employed as an agent bus driver for C.T.A. on the #88 bus route operating out of the Jefferson Park terminal.

2. On June 27, 2012 at the C.T.A. Jefferson Park bus terminal, employee #44096, without authority denied plaintiff the right to board the #88 route bus, even though plaintiff at said time was disabled. This incident occurred on or about 3:40 p.m., June 27, 2012.

3. Defendant employee #44096 informed plaintiff that she was no longer allowed to board the bus at that boarding point, even

though plaintiff was in a wheelchair at the designated handicapped boarding station.

3. Employee #44096 then alighted from the bus and informed plaintiff that she would have to go to another designated handicapped boarding station and await the next #88 route bus.

4. Employee #44096 then entered the bus and retrieved a flier and tendered it to plaintiff (see attached).

5. This flier was tendered to buttress her claim that she was not to pick up disabled passengers at that boarding station irrespective of the boarding station being labeled for the disabled to board there for the #88 bus route.

6. Subsequently both plaintiff and employee #44096 proceeded to the supervisor's kiosk.

7. Plaintiff informed the supervisor of the previous stated events. After both plaintiff and employee #44096 stated what had occurred.

8. The supervisor then accompanied the plaintiff back to the designated disabled boarding position for route #88 and assisted plaintiff on boarding the bus.

9. On July 4, 2012 in 100 degree heat, plaintiff was at the designated handicapped boarding station in a wheelchair waiting to board the route #81 eastbound bus at the C.T.A. Jefferson Park bus terminal, as employee #44096 was at the point where ambulatory passengers board the bus with the bus door open and allowing them to board.

10. Defendant waited for employee #44096 to allow her to board the bus at the designated handicapped boarding point, beckoning employee #44096 to alert her that she was waiting for her to pick her up after the ambulatory passengers boarded.

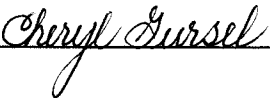
11. When employee #44096 finished picking up the ambulatory passengers, she closed her doors, ignored the plaintiff, pulled out of the station and proceeded without authority onto her route, refusing to pick the plaintiff up.

12. At 16:45 p.m. on July 4, 2012 immediately after refusing

the plaintiff service, plaintiff then reported employee #44096's actions of refusing to allow plaintiff to board the route #81 eastbound bus, to supervisor #30929.

13. Supervisor #30926 informed plaintiff that he would speak to employee #44096 and make a report concerning employee #44096's behavior towards the plaintiff, who has to this date not received any notification of disciplinary action taken against employee #44096 concerning the above described incident.

WHEREFORE the plaintiff prays this honorable court enter judgment on her behalf of compensatory and punitive damages against the defendants individually and severally.



Cheryl Gursel

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G22-12				

General Bulletin

TO: All Concerned, Bus

SUBJECT: Accessible Boarding/Alighting at Jefferson Park Bus Terminal

EFFECTIVE: JULY 1, 2012

The CTA is responsible for and prides itself on making transportation accessible to **all** customers, including seniors and those with disabilities.

To improve the boarding process for customers with disabilities at Jefferson Park bus terminal, designated accessible boarding/alighting areas are located in both the south and north terminals. These boarding/alighting areas have been established to avoid the obstructions that disabled customers encounter when trying to board buses at the standard boarding islands.

The designated boarding/alighting areas are identified by this sign:



In the south terminal, the boarding/alighting area is directly in front of the bus operators' washroom. In the north terminal, the sign is located between the enclosed bus shelter and the supervisor's booth. If a customer is waiting to board a bus at these locations, operators must curb the bus, announce the bus route and destination, and allow intending customers to board. If a customer with a disability wishes to alight at Jefferson Park, operators must curb the bus at the north or south terminal accessible boarding/alighting area.

As not all disabilities are readily apparent, a customer **does not** have to use a mobility device to board the bus at these locations. If the customer does use a mobility device, kneel the bus and deploy the ramp automatically. Remember, even if the customer does not use a mobility device or have an apparent disability, you must kneel the bus automatically and, if the customer requests, deploy the ramp immediately.